United Nations A/52/295

General Assembly

Distr.: General
20 August 1997

Original: English

Fifty second session
Item 105 of the provisional agenda*
Crime prevention and criminal justice

Progress made in the implementation of General Assembly resolution 51/63

Report of the Secretary-General

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 51/63 of 12 December 1996 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, particularly its technical cooperation capacity.

II. Sixth session of the Commission on Crime Prevention and Criminal Justice and strategic management of the Programme

2. The sixth session of the Commission on Crime Prevention and Criminal Justice was held at Vienna from 28 April to 9 May 1997. It was attended by representatives of 39 of the 40 States members of the Commission, 64 other States, 45 intergovernmental and non-governmental organizations, and United Nations bodies, specialized agencies and affiliated regional and associated institutes.

3. The following questions received particular attention at the session: organized transnational crime in the context of the follow-up to the Naples Political Declaration and Global Action Plan; action against corruption; elimination of violence against women; international cooperation in criminal matters; technical cooperation and advisory services; and the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. These and other questions taken up by the Commission are discussed in the present report.

4. Also considered at the session was the question of strategic management of the Programme by the Commission. During the inter-sessional period, the Bureau of the Commission played an active role in the strategic management of the Programme. The Bureau suggested streamlining the reporting procedures, limiting the number of requests for reports, exercising restraint on repetitive statements of principles or arguments and focusing on effective action requirements. The Bureau also recommended that the number of resolutions should be limited, by merging them to the extent possible, particularly through active consultations among delegations. In its resolution 6/1,[1] the Commission endorsed the recommendations of the Bureau with respect to the streamlining of its substantive agenda and organization of work, and requested the Chairman to convene an informal working group of its members to undertake a review of the Programme mandates and resources, with a view to establishing a more realistic balance between them.

5. The Commission took note of the proposed programme of work in crime prevention and criminal justice for the biennium 1998-1999 (section 14 of the proposed programme budget); submitted comments to the United Nations bodies; and requested the Secretary-General to ensure the provision of sufficient resources for the implementation of Programme activities, including the redeployment of resources from savings in the cost of administration and conference services.

6. Many delegations called for the continued strengthening of the Programme, particularly its technical cooperation capacity. A few countries, namely, Austria, Bahrain, Finland, Japan, Kuwait, Lebanon and Saudi Arabia, in response to a note verbale from the Secretary-General, stated that they consistently aimed at strengthening the Programme, and thus helped to give effect to the recommendations contained in General Assembly resolution 51/63, by strengthening international cooperation, contributing to the development of the strategic management of the Programme, supporting the Programme Network, contributing to various projects of the Programme and sending associate experts and consultants to the Crime Prevention and Criminal Justice Division of the Secretariat.

III. Technical cooperation

7. The past year has witnessed a major expansion of the operational capacity of the Programme. In addition to short-term advisory missions, needs assessments and joint initiatives such as training, over 20 comprehensive technical assistance projects have been formulated and await financing. There has been a quantum leap in terms of the capacity to develop and execute projects. In addition to the two interregional advisers, an experienced senior technical cooperation officer has recently joined the Programme. Contributions in kind have included two senior police officers provided by the Government of France, a judge provided by the Government of Austria, an expert on prison administration from the Government of the United Kingdom of Great Britain and Northern Ireland, and qualified associate experts from a number of countries. This has increased the Programme's capability to render technical assistance so as to upgrade national crime prevention and criminal justice services and strengthen their capacity to deal with crime.

8. The Division's work has thus become driven by the needs expressed by Member States, with a strong emphasis on development strategies focusing on common areas of concern, such as measures against bribery and corruption in South America. The new emphasis on public security recognizes the need for an appropriate legal framework for economic and social development. It views crime prevention and criminal justice as an essential government service whose provision is a public priority. At the same time, increasing decentralization and the reinforcement of local government and civil society is part of the quest for good governance and democratization and public participation in them. Through its increased capacity for service delivery, the Programme can assist countries in fulfilling these multiple objectives, given the means to do so. The inclusion of these concerns in country programmes and in the technical assistance agendas of donor States should help to expedite the process and achieve tangible results.

9. The Division has responded to an increasing number of requests for technical assistance received from Member States. The report of the Secretary-General on technical cooperation and coordination of activities[2] submitted to the Commission on Crime Prevention and Criminal Justice at its sixth session, provided an updated overview of the wide range of activities undertaken, such as training courses, seminars and workshops, fellowships, needs assessment missions, advisory services, and project formulation and implementation.

10. Technical cooperation is one of the principal means for the creation of conditions permitting States and the international community as a whole to fight crime. Its present operational capacity allows the Programme to assess existing crime situations, to formulate and to help implement projects, to evaluate the results and to provide some urgent general assistance to requesting countries. However, it must be noted that, despite the increased attention and resources devoted by the United Nations to technical assistance in the area of crime prevention and criminal justice, the Programme still lacks the operational capacity for the full implementation of the proposed projects. The Commission at its sixth session therefore called upon donor countries and international funding agencies to make significant and regular financial and/or other contributions for the formulation, coordination and implementation of technical assistance projects elaborated within the framework of the United Nations Crime Prevention and Criminal Justice Programme.

A. Advisory services

11. The Division has been undertaking a steadily increasing number of technical assistance missions, which were carried out by the two interregional advisers at the request of developing countries, countries with economies in transition and others recovering from conflicts. These missions consist of needs assessments, advisory services and other operational activities, which require proper follow-up in terms of project formulation and implementation.

12. The missions undertaken by the interregional advisers covered different aspects of crime prevention and criminal justice, such as needs assessment of criminal justice and correctional penitentiary systems in Albania, Angola, Brazil, Gabon, Guinea, Haiti, Kazakhstan and the former Yugoslav Republic of Macedonia (jointly with the United Nations International Drug Control Programme (UNDCP)); institution-building and strengthening of organized crime control capacity in the Gambia, Romania (jointly with UNDCP) and Togo; assessment of the conditions in the correctional system and training for the personnel of the correctional services for juvenile offenders, as well as preparations for the regional ministerial workshop on organized crime, held at Dakar, as a follow-up to the World Ministerial Conference on Organized Transnational Crime. There was also a mission focusing on juvenile justice, transborder crime including trafficking, reform of the police and improvement of the system of correctional services in South Africa; and a mission on measures to prevent and fight organized crime, and assessment of the correctional services in Argentina.

13. Two projects aimed at strengthening the new structures for the administration of justice in the Federation of Bosnia and Herzegovina and the Republika Srpska have been funded, by the United Nations Development Programme (UNDP) and Japan, and are being implemented. They were developed jointly with the Reconstruction and Development Support Unit of the Department for Development Support and Management Services. For the first time, a long-term resident adviser has been fielded from the Division to coordinate project implementation. The Government of Japan has also provided the funding for a United Nations Volunteer to assist with project execution in the Republika Srpska. A project to prepare a master plan to rehabilitate the criminal justice system in Albania has been approved by the Ministry of Justice and UNDP and is ready to be implemented.

B. Training

14. During the reporting period, the Division carried out a number of training activities, mostly in cooperation with other organizations. A seminar on organized transnational crime and drug trafficking for government officials from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, jointly organized with UNDCP and the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE), was held at Bishkek (10-12 June 1996). In cooperation with the Republic of Korea, the Division organized an interregional training course at Seoul (9-13 September 1996) on computer information technologies in the management of the criminal justice system, for criminal justice officials from 20 Member States. On the basis of the results of a previous needs assessment mission to Kyrgyzstan, the Division, in cooperation with UNDP, organized a training workshop at Bishkek (11-15 November 1996) for trainers of correctional services from five Central Asian countries. Thanks to the funds provided by the Government of the Netherlands, implementation of the projects on assistance for judicial reform in the Russian Federation has been continued a seminar on computerization of the criminal justice system was organized in the Russian Federation (24-27 June 1997) by the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), in cooperation with the Division.

C. Fellowships

15. The Division's fellowship programme in the field of crime prevention and criminal justice, for developing countries and countries with economies in transition, continued and applications from candidates were evaluated for their impending selection. Applications were received from 31 candidates from 17 countries.

D. Implementation of the United Nations Declaration on Crime and Public Security

16. The adoption by the General Assembly of the United Nations Declaration on Crime and Public Security on 12 December 1996 (resolution 51/60, annex) was brought to the attention of all Member States by means of a note verbale, to which replies have been forthcoming. The Division has made a systematic effort to gear its technical cooperation activities towards providing Member States, at their request, with services that would enhance their capacity to implement the Declaration, as well as other instruments and guidelines of the Programme.

E. Publications

17. A special issue of the *United Nations Crime Prevention and Criminal Justice Newsletter* (No. 28/29) on the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders has been published, and a special double issue on the community of non-governmental organizations working in the field of crime prevention and criminal justice has been prepared. For the first time, all the resolutions, reports, documents and publications pertaining to the United Nations Crime Prevention and Criminal Justice Programme have been published in the *International Review of Criminal Policy*, No. 47/48. A compendium of technical cooperation projects, entitled "Technical Assistance in Crime Prevention and Criminal Justice: Why, How and When?" has been issued, which also contains information provided by the informal consultative group on resource mobilization.

IV. Strengthening of Programme capacity and mobilization of resources

18. It may be recalled that in the assessment of the United Nations operational activities in crime prevention and criminal justice, made on the fiftieth anniversary of the Organization, the unrealized potential of technical cooperation in this field was stressed, as was the need for the recognition of its important contribution to sustainable development, good governance and the transition to democracy. A number of recent country programmes and United Nations reports have stressed the crucial need for a proper legal framework and functional criminal justice system in ensuring the rule of law, national stability and constructive change. The disastrous effect of violent strife, lawlessness and lacking or malfunctioning public institutions has been highlighted by the fate of several countries. In others, escalating criminality, especially organized crime, has exceeded the existing capacity to contain it and undermined the process of socio-economic reform. Clearly, closer attention must be paid to this aspect at both the national and the international (including regional and subregional) levels, or the damage may be irreversible.

19. From the plethora of requests for assistance received, it seems that this danger is increasingly becoming real. While there is mounting awareness of the true cost of crime, and an interest in strengthening the capacity to curtail it, the possibilities for actual service delivery still lag behind because of the financial constraints. The challenge now is to bridge this gap. The further sensitization of prospective donors, both international funding agencies and national Governments, is part and parcel of this task.

20. In the past year, Member States continued to stress the Programme's role in strengthening international cooperation in crime prevention and criminal justice, in responding to the needs deriving from both national and transnational criminality and in assisting Member States in their efforts to combat it. The General Assembly, in its resolution 51/63, reaffirmed the high priority attached to technical cooperation and advisory services in the field of crime prevention and criminal justice, and stressed the need to continue to improve the operational activities of the Programme, in particular in developing countries and countries in transition, in order to meet the needs of Member States, at their request, for support in crime prevention and criminal justice. The Assembly called upon States, the United Nations system and other international, regional and national funding agencies to make significant financial contributions for the operational activities of the Programme, and encouraged all States to make voluntary contributions for this purpose to the United Nations Crime Prevention and Criminal Justice Fund.

21. The Commission on Crime Prevention and Criminal Justice, in its resolution 5/3,[3] decided to exercise more vigorously its mandated function of resource mobilization and, for that purpose, to establish an informal consultative group, which would report annually on activities undertaken and results achieved. In its resolution 6/1, the Commission further decided that the informal consultative group should also serve as the mechanism for resource mobilization and coordination of activities in the area of technical assistance, envisaged in paragraph 15 of its resolution 5/2.

22. Further to the organizational meeting held on 5 July 1996, referred to in the last report of the Secretary-General (A/51/327, para. 84), the informal consultative group met on 28 October, 4 November and 10 December 1996. On the basis of a set of background documents and a compendium of summarized project proposals, the group stressed the importance of crime prevention and criminal justice in development and the pervasive needs in this field. It analysed the role of the Crime Prevention and Criminal Justice Programme, its potential and comparative advantages. After considering international and national policies and practices related to the funding of development assistance, the group recommended specific modalities of resource mobilization for the Programme, and agreed on the need for Commission members to take a more active role therein. The group discussed a number of additional proposals, the full text of which is contained in the report of its Chairman on activities undertaken and results achieved.[4]

23. In its resolution 1997/35, adopted on the recommendation of the Commission, the Economic and Social Council welcomed the work done by the informal consultative group on resource mobilization. In its resolution 6/1, the Commission, *inter alia*, took note of the report of the Chairman of the informal consultative group.[4] It called upon Member States to review the projects contained in the compendium of technical cooperation projects submitted by the group with a view to providing for their funding, and, where possible, to contribute to the United Nations Crime Prevention and Criminal Justice Fund to cover the cost of two Professional staff members, consultants and other support required for developing and administering the technical cooperation component of the Programme and to develop essential training tools. The Crime Prevention and Criminal Justice Division was requested to continue its resource mobilization efforts, taking into account the recommendations and requests contained in the report of the Chairman of the group.

V. United Nations Crime Prevention and Criminal Justice Fund

24. The United Nations Crime Prevention and Criminal Justice Fund was established in 1967, pursuant to Economic and Social Council resolution 1086 (XXXIX) of 30 July 1965. It is included in the annual United Nations Pledging Conference for Development Activities in pursuance of General Assembly decision 34/440 of 17 December 1979. The Fund has continued to be an important tool in enlisting the support of Member States for technical cooperation activities that cannot be financed by the regular budget of the United Nations, but its assets are limited, as is the number of contributors to it. The General Assembly, in its resolution 51/63, called upon States and United Nations funding agencies to make significant financial contributions for operational activities of the Programme, and encouraged all States to make voluntary contributions for that purpose to the Fund.

25. The activities financed through contributions to the Fund include a firearm regulation project; a study on extradition; a project for the Federation of Bosnia and

Herzegovina and the Republika Srpska; a training workshop in Kyrgyzstan; a training seminar on juvenile justice in Burkina Faso; advisory services to Romania; elaboration of the global report on crime and justice; reprinting of the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*; other documents, such as "Technical Assistance in Crime Prevention and Criminal Justice: Why, How and When?"; and the input of consultants to project formulation, implementation and assessment and advisory services, which have been designed to strengthen the technical cooperation capacity of the Programme.

26. Donations to the Fund can be made either as a general contribution to serve overall assistance needs or as earmarked funds for specific projects or other Programme activities. So far, in the biennium 1996-1997 the following contributions[5] have been made to the Fund: Italy, $334,000;[6] United States of America, $225,000;[7] Japan, $200,000;[8] France, $100,000;[9] Asia Crime Prevention Foundation, $50,000;[10] Turkey, $35,000; and amounts under $25,000 from Brazil, Cambodia, Chile, China, Cuba, India, Malta, Morocco, Panama, the Philippines, the Republic of Korea, Slovenia, Thailand and Tunisia.

VI. Cooperation and coordination of activities

27. In its resolution 51/63, the General Assembly requested the Secretary-General to continue to strengthen the cooperation between the Division and UNDCP, and to take all necessary measures to assist the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in the field, in performing its activities, including cooperation and coordination with other relevant bodies, such as the Commission on Narcotic Drugs, the Commission on Human Rights and the Commission on the Status of Women.

28. The Secretary-General submitted a report on the activities of the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network[11] to the Commission at its sixth session. The Secretary-General also highlighted the collaborative efforts of the Division, in particular with UNDP and UNDCP, in his report on technical cooperation and coordination of activities.[12]

29. In October 1996, a joint technical cooperation project entitled "Global programme against money-laundering" was approved. It is being executed jointly by UNDCP and the Division. The project, which is expected to last three years, also foresees close collaboration with other organizations active in the field, such as the Financial Action Task Force on Money-Laundering, the Commonwealth Secretariat, the International Criminal Police Organization (Interpol) and the Customs Cooperation Council. The Division also provided inputs for several UNDCP documents, projects and other initiatives. A number of technical assistance projects elaborated by the Division have benefited from the expertise of UNDCP and envisage the involvement of that Programme in their implementation.

30. Over the last few years, a particularly significant partnership has been forged with UNDP, which has increased its cooperation with the Division. A further expansion of the cooperation can be foreseen in the light of the development of the UNDP governance programme. The recent focus of UNDP on the rule of law, the development of the judiciary, the promotion of human rights and democratic institution-building as a whole is resulting in an increased demand for the type of expertise that the Crime Prevention and Criminal Justice Programme can offer. UNDP has a great interest in cooperating with the Programme and trusts that it will have the professional resources necessary for an expansion of cooperation. Further to an exchange of letters between the Administrator of UNDP and the Director-General of the United Nations Office At Vienna, a memorandum of understanding was signed between the UNDP Regional Bureau for Europe and the Commonwealth of Independent States, which provides, *inter alia*, for joint needs assessment missions and joint fund-raising for projects and activities in the area of crime prevention and criminal justice. The Division cooperated with UNDP in connection with needs assessment and project formulation carried out in Azerbaijan, Kazakhstan, Romania and Uzbekistan, as well as participating in a number of joint missions and seminars. A recent example of activities undertaken in cooperation with UNDP is a project in Kyrgyzstan aimed at supporting the development of a ministerial department responsible for fighting organized crime, drug trafficking and corruption. The Division is also acting as a cooperating agency for a United Nations Office for Project Services/UNDP preparatory assistance project covering all aspects of criminal justice in South Africa, and a second project there focusing specifically on domestic violence.

31. The fight against corruption is an area where cooperation with the Department for Development Support and Management Services has been particularly fruitful. The Division has also worked closely with that Department in the development of the project to strengthen the

administration of justice in Bosnia and Herzegovina, and in other post-conflict situations.

32. Efforts to strengthen cooperation with the Centre for Human Rights included the participation as a resource person of one of the interregional advisers in a training seminar organized by the Centre at Ulaanbaatar, and the attendance by a representative of the Centre at the sixth session of the Commission on Crime Prevention and Criminal Justice.

33. In implementing the United Nations international study on firearm regulation (see also sect. VII.D below), the Division cooperated with the World Health Organization, the Centre for Disarmament Affairs of the Secretariat and the United Nations Institute for Disarmament Research. Several of the institutes of the Programme network also contributed to the study. The United Nations Children's Fund (UNICEF) invited the Division to participate in its training seminars, and to consult with UNICEF programme managers on the possible inclusion of components for assistance in the area of juvenile justice in UNICEF country projects.

34. The United Nations Crime Prevention and Criminal Justice Programme network continued to contribute to various Programme activities all over the world. The eleventh coordination meeting of the network was convened by the Division at Courmayeur, Italy, in October 1996, at the invitation of the International Scientific and Professional Advisory Council (ISPAC) and the United Nations Interregional Crime and Justice Research Institute.

35. A number of other joint initiatives were taken in the effort to expand partnerships and the networking process. Following the annual coordination meeting, and the conference of its members, ISPAC convened, in cooperation with the Italian Ministries of Justice and Interior and the Division, an International Conference on Migration and Crime: Global Problems and Responses (Courmayeur, 4-6 October 1996). In considering this question, emphasis was placed on crimes against, and the exploitation of, migrants. The Centro Nazionale di Prevenzione e Difesa Sociale, as the secretariat of the International Society of Social Defence, a member of ISPAC, organized the thirteenth International Congress of Social Defence, at Lecce, Italy, from 28 to 30 November 1996, in cooperation with the Division and the Centro Studi Giuridici "Michele de Pietro", under the auspices of the Ministry of Justice of Italy. The theme of the Congress was "Social defence, corruption and the protection of public administration and the independence of the judiciary". The Congress adopted a series of practical recommendations designed to reduce the likelihood of corruption in different contexts.

36. Another ISPAC member, the Asia Crime Prevention Foundation, convened several joint workshops to help implement the recommendations of the Ninth Congress and of its Fifth World Conference (Seoul, October 1996) at the regional level, and as input for its Sixth World Conference (Tokyo, 28-31 October 1997). The Sixth Conference is to be preceded by an Asian prosecutors' meeting, convened in cooperation with the International Association of Prosecutors. The Foundation's workshops dealt with urgent Asian problems, such as drug trafficking and the need for simplified and more effective extradition proceedings (Kuala Lumpur, 27-30 May 1997), and the role of criminal justice in environmental protection (Jakarta, 29 June-1 July 1997).

37. Ongoing contacts were maintained by exchanging information on issues of mutual concern and on the funding of specific projects, with a large number of intergovernmental and non-governmental organizations, including OSCE, the Council of Europe, the European Commission, the Agency for Cultural and Technical Cooperation and Interpol.

38. Non-governmental organizations, in particular the Vienna and New York chapters of the Alliance of Non-governmental Organizations in Crime Prevention and Criminal Justice, and other entities continued to contribute significantly to the work of the Programme through various means, including the organization of expert meetings and seminars, for example on training using the Correctional Training Manual developed by ISPAC, the exchange of information and the development of training material and other publications.

VII. Programme activities

A. Implementation of the recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and preparations for the Tenth Congress

39. The General Assembly, in its resolution 50/145 of 21 December 1995, endorsed the resolutions and recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and invited Governments to be guided by them in formulating legislation and policy directives. The activities of the United Nations Crime Prevention and Criminal Justice Programme

described in the present report were carried out in pursuance of the recommendations of the Congress.

40. In response to the notes verbales sent by the Secretary-General requesting information on the initial steps taken to give effect to the resolutions of the Congress, information on general and specific initiatives, together with views and observations, have thus far been received from Austria, Bahrain, Brunei Darussalam, Greece, the Holy See, Japan, Jordan, Panama and Saudi Arabia. The respondents indicated that they were already implementing, or planning to implement, the various recommendations of the Congress.

41. The Tenth Congress will be held in the year 2000. In his last report (A/51/327), the Secretary-General gave a brief account of the action taken to initiate the preparations for the Tenth Congress. In pursuance of resolution 5/1 of the Commission on Crime Prevention and Criminal Justice, the views of Governments, United Nations agencies and programmes and other relevant intergovernmental and non-governmental organizations and institutions were sought on the theme, agenda items, workshop topics and possible venue of the Congress. The feedback received demonstrates the interest in and commitment of the international community to continuing to use the United Nations congresses as global events and worldwide forums for sharing experiences and know-how, aimed at influencing national policies, mobilizing public opinion, recommending lines of action at all levels and focusing attention on major issues of concern to Member States and the professional and scientific constituency. The report of the Secretary-General on the preparations for the Tenth Congress,[13] which was examined by the Commission at its sixth session, reflects the views and proposals submitted by Governments and various entities on the subject.

42. In its consideration of the preparations for the Tenth Congress, the Commission assessed the experience gained from the arrangements made for the Ninth Congress, and expressed broad support for the format followed then. It was of the view that the Tenth Congress would be a landmark event at the dawn of the twenty-first century, representing one further step towards achieving safety and security for all citizens. The Congress should be practical, rather than theoretical, and specific rather than general. It should provide political directions to the Commission and act as a catalyst, not only in taking stock of new developments, but also in facilitating the exchange of information and sharing of experience, as well as the formulation and coordination of crime prevention and criminal justice strategies. Organizational aspects, such as the relationship between the Commission and the congresses, the status of the workshops and the consideration of draft resolutions required particular attention.

43. At the end of its deliberations on this question, the Commission agreed on four substantive topics that could be included in the provisional agenda of the Tenth Congress, namely, (a) promoting the rule of law and strengthening criminal justice systems; (b) international cooperation in combating transnational crime: new challenges in the twenty-first century; (c) effective crime prevention: keeping pace with new developments; and (d) offenders and victims: accountability and fairness in the justice process. The Commission also agreed on the following topics for the workshops: (a) combating corruption; (b) crimes related to the computer network; (c) community involvement in crime prevention; and (d) women in the criminal justice system. The various recommendations made by the Commission on this and on other matters are reflected in the draft resolution on the preparations for the Tenth Congress recommended by the Economic and Social Council to the General Assembly for adoption at its fifty-second session (see Council resolution 1997/23).

44. It should be noted that, as in the past, no separate secretariat for the Congress preparations will be created. Rather, the Crime Prevention and Criminal Justice Division will serve as the main secretariat responsible for the organizational and substantive preparation of the Congress. The necessary resources will be provided within the overall appropriations of the programme budget for the bienniums 1998-1999 and 2000-2001, covering the various requirements, including the organization of regional preparatory meetings, the participation of the least developed countries in those meetings and in the Congress itself, and the implementation of appropriate public information programmes. In the case of the Ninth Congress, some Governments provided support and assistance to the Secretariat in cash or in kind. Given the present financial situation of the Organization, interested Governments are encouraged to do the same, so that the task of preparing for the Congress can be discharged adequately.

45. It is expected that the Commission, at its seventh session, will finalize the programme of the Congress and make its final recommendations, through the Economic and Social Council, to the General Assembly at its fifty-third session. In the course of the next few months, the Secretary-General will prepare specific suggestions for consideration by the Commission, including the results of the consultations on the hosting of the Congress. At its sixth session, the Commission welcomed the offer by the Government of South Africa to host the Tenth Congress. It also took note of a statement made by the representative of Austria, on

behalf of his Government, indicating that if consensus could be reached and questions of timing could be resolved, Austria would be honoured to host the Congress at Vienna.

B. International cooperation in combating transnational crime

1. Implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime

46. The General Assembly approved the Naples Political Declaration and Global Action Plan against Organized Transnational Crime in its resolution 49/159 of 23 December 1994. In its resolution 51/63, the Assembly requested the Secretary-General to further strengthen the United Nations Crime Prevention and Criminal Justice Programme by providing it with the resources necessary for the implementation of its mandate, including follow-up action to the Naples Political Declaration and Global Action Plan. The Commission on Crime Prevention and Criminal Justice at its fifth and sixth sessions reviewed the implementation of the Naples Political Declaration and Global Action Plan and recommended a number of steps to give effect to its various provisions, as reflected in Economic and Social Council resolution 1996/27.

47. The General Assembly, in its resolution 51/120 of 12 December 1996, took note of the draft United Nations framework convention against organized crime introduced by Poland (A/C.3/51/7, annex), and requested the Secretary-General to invite all States to submit their views on the question of the elaboration of an international convention against organized transnational crime, including, *inter alia*, their comments on the draft framework convention. The Assembly also requested the Commission to consider, as a matter of priority, the question of the elaboration of such a convention, taking into account the views of all States, with a view to finalizing its work on the question as soon as possible.

48. The process initiated by the World Ministerial Conference on Organized Transnational Crime has fostered an increasing worldwide awareness of the threat posed by organized crime and the measures necessary to help countries to deal effectively with that threat. The Crime Prevention and Criminal Justice Division initiated the development of a structured programme of activities intended to promote the full implementation of the Naples Political Declaration and Global Action Plan. It has continued to collect and analyse information provided by Governments and relevant organizations. It has undertaken a number of practical activities whose aim is to assist countries in need, verify the status of international cooperation in the field, and strengthen the ability of national criminal justice systems to deal with new and sophisticated forms of crime.

49. In pursuance of General Assembly resolution 51/120, and for the purpose of assisting the Commission in implementing that resolution, the Division organized an informal meeting on the question of the elaboration of an international convention against organized transnational crime, which was held at Palermo, Italy, from 6 to 8 April 1997. The organization of the meeting was made possible through the generous support of the Giovanni and Francesca Falcone Foundation.

50. On the recommendation of the Commission and the Economic and Social Council (resolution 1997/22), the General Assembly has before it a draft resolution on the follow-up to the Naples Political Declaration and Global Action Plan, by which it would decide to establish an inter-sessional open-ended intergovernmental group of experts for the purpose of elaborating a preliminary draft of a comprehensive international convention against organized transnational crime, which would report to the Commission at its seventh session, and would welcome the generous offer of the Government of Poland to host a meeting of the group. The Assembly would also request the Secretary-General to continue his work on the central repository established pursuant to Economic and Social Council resolution 1996/27 and to assist States in collecting and systematizing data and other information on the occurrence, dimensions and patterns of organized transnational crime by designing and undertaking a comparative study on the situation of organized transnational crime in the world.

51. The Crime Prevention and Criminal Justice Division organized the second Regional Ministerial Workshop on the Follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime and on Action against Corruption for the African Region. The Workshop was organized with the support of the Agency for Cultural and Technical Cooperation and was held at Dakar from 21 to 23 July 1997.

2. Extradition and mutual assistance in criminal matters

52. Pursuant to Economic and Social Council resolution 1995/27, the Crime Prevention and Criminal Justice Division organized a meeting of an intergovernmental expert group on extradition, at Siracusa, Italy, from 10 to 13 December

1996. The meeting was hosted by the International Institute of Higher Studies in Criminal Sciences and the International Association of Penal Law. The expert group examined ways and means of improving extradition procedures, as one of the primary modalities of international cooperation in penal matters and reviewed the Model Treaty on Extradition (General Assembly resolution 45/116, annex), making recommendations on desirable amendments and additions to its provisions.

53. On the recommendation of the Commission and the Economic and Social Council (resolution 1997/26), the General Assembly has before it a draft resolution on international cooperation in criminal matters, whereby the Assembly would request the Secretary-General to convene a meeting of an intergovernmental expert group to examine practical recommendations for the further development and promotion of mutual assistance in criminal matters. The Assembly would also decide that the Model Treaty on Extradition should be complemented by the provisions set forth in the annex to the draft resolution, and request the Secretary-General to elaborate, for submission to the Commission, model legislation to assist Member States in giving effect to the Model Treaty, in order to enhance effective cooperation between States. The Assembly would also invite States to consider specific measures in the context of the use and application of extradition treaties, and request the Secretary-General to develop appropriate training materials and provide advisory and technical cooperation services to Member States requesting assistance with regard to such treaties.

54. With the assistance of the International Institute of Higher Studies in Criminal Sciences, the Crime Prevention and Criminal Justice Division organized the first of a series of training courses for government officials concerned with extradition proceedings, in pursuance of Economic and Social Council resolution 1995/27 and the recommendations of the aforementioned intergovernmental expert group.

3. Trafficking in stolen motor vehicles

55. In section II of its resolution 1995/27, the Economic and Social Council requested the Commission to consider measures for the prevention and suppression of illicit trafficking in motor vehicles, and requested the Secretary-General to seek the views of Governments and relevant organizations on the matter.

56. The illicit trafficking in motor vehicles is a serious problem of international dimensions. Organized criminal groups are becoming increasingly involved in this activity because it generates high profits, while the gaps in legislation and differing procedures of the various countries reduce the risks. In addition, insufficient cooperation among law enforcement agencies, lack of appropriate controls prior to the registration of a motor vehicle, corruption, legislative discrepancies with regard to the *bona fide* possession of motor vehicles in various regions of the world, a variety of registration practices and differences in the level of training of vehicle inspectors are generally indicated as factors facilitating the involvement of organized transnational crime in this profitable form of illicit trafficking.

57. With the generous support of the Government of the United States of America, the Crime Prevention and Criminal Justice Division, in cooperation with the Government of Poland, organized the International Conference on Theft of and Illicit Trafficking in Motor Vehicles, which was held at Warsaw on 2 and 3 December 1996. Furthermore, the European Institute for Crime Prevention and Control, affiliated with the United Nations, in cooperation with the Ministry of the Interior of the Russian Federation, undertook a survey of countries in Western and Eastern Europe on the theft of and illicit trafficking in motor vehicles, and organized a conference on the subject, which was held at Moscow from 28 February to 2 March 1997. The recommendations of the two conferences were brought to the attention of the Commission at its sixth session, together with the study elaborated by HEUNI on the basis of the survey.

58. In its resolution 1997/29, adopted on the recommendation of the Commission, the Economic and Social Council urged Member States to improve international cooperation in the prevention and control of the theft of and illicit trafficking in motor vehicles, and to conclude bilateral and/or multilateral agreements or arrangements on a simplified and effective procedure for recovering stolen vehicles, taking into account the Model Bilateral Treaty for the Return of Stolen or Embezzled Vehicles, annexed to the resolution, as well as the United Nations model treaties concerning international cooperation in criminal matters. The Council also urged Member States to take a number of other measures and requested the Secretary-General to elaborate a training manual for law enforcement and customs personnel on the prevention and control of trafficking in stolen and misappropriated vehicles, for use in the provision of practical assistance to requesting Member States, and a comprehensive training manual on vehicle identification; and also to develop and carry out training programmes and to provide advisory services to interested Member States.

4. Smuggling of illegal migrants

59. The General Assembly, in its resolution 51/62 of 12 December 1996, condemned the practice of smuggling aliens in violation of international and national law or other agreements between States and without regard for the safety, well-being and human rights of the migrants; urged States to take appropriate steps to frustrate the objectives and activities of smugglers of aliens by amending criminal laws, if necessary, to encompass the smuggling of aliens; and requested States to cooperate in order to prevent the illegal transport by smugglers of third-country nationals through their territory and to ensure that prompt and effective action was taken against the smuggling of aliens by sea.

60. In that resolution, the General Assembly also called upon Member States and the relevant specialized agencies and international organizations to take into account socio-economic factors and to cooperate at the bilateral and multilateral levels in addressing all aspects of the problem of the smuggling of aliens; and requested the Commission to consider giving attention to the question of the smuggling of aliens at its sixth session in order to encourage international cooperation to address the problem.

61. The report of the Secretary-General on measures to combat the smuggling of illegal migrants[14] submitted to the Commission at its sixth session brought to its attention additional information provided by States regarding the measures envisaged or taken to combat this problem. Economic and Social Council resolution 1997/34, adopted on the recommendation of the Commission, on the implementation of the United Nations Declaration on Crime and Public Security, contains provisions which concern the smuggling of migrants and other forms of international trafficking across State borders.

5. The role of criminal law in the protection of the environment

62. The Economic and Social Council, in its resolution 1996/10, decided that the question of the role of criminal law in the protection of the environment should continue to be one of the priority issues of the Commission on Crime Prevention and Criminal Justice at its future sessions, and requested the Secretary-General to seek the views of Member States in order to determine the feasibility of establishing appropriate machinery for applying criminal law for the protection of the environment. In response to that resolution, the Secretary-General submitted to the Commission at its sixth session a report[15] that contained a summary of the information received from Governments and other sources on the role of criminal law in the protection of the environment, such as bilateral and multilateral agreements, developments in national legislation and initiatives for their enforcement, statistics on the extent of environmental crime and the feasibility of establishing appropriate machinery. The report concluded that, although criminal enforcement provided a critical opportunity to alter indifferent individual and corporate behaviour as it related to the pollution of the environment, it was still in its relative infancy in most countries. To combat crimes involving, in particular, illegal trafficking in hazardous and nuclear substances and endangered species, criminal law should be used as the primary remedy.

63. To assist interested States in upgrading their capabilities in this respect, technical cooperation projects were developed for the protection of the environment by means of the criminal law in the developing countries of the English-speaking Caribbean and the South Pacific, including the drafting and implementation of appropriate legislation, setting up of an institutional framework and a system for data distribution, and training of enforcement officials.

64. Relevant material and information were also collected for the preparation of a manual for practitioners, intended to serve as an effective and practical tool for law enforcement officers active in the field, in particular in countries in transition and developing countries which have just started to address this form of crime.

65. To ensure the receipt of comprehensive information on the role of criminal law in the protection of the environment, as well as to enhance the exchange of such information, a roster of experts was continuously updated and expanded, currently comprising 202 experts in 54 countries. The experts provide feedback regarding the role of criminal law in the protection of the environment and on the viability of technical assistance projects in their countries and regions.

66. A computerized database containing the information available to the Division on the issue of criminal law in the protection of the environment was set up and is being continuously updated.

C. Corruption and bribery

67. The General Assembly, in its resolution 51/59 of 12 December 1996, adopted the International Code of Conduct for Public Officials and recommended it to Member States as a tool to guide their efforts against corruption. In order to give effect to the various provisions of the Code, the Assembly requested the Secretary-General, in consultation

with States and relevant entities, to elaborate an implementation plan and submit it to the Commission on Crime Prevention and Criminal Justice at its sixth session. Furthermore, the General Assembly, by its resolution 51/191 of 16 December 1996, adopted the United Nations Declaration against Corruption and Bribery in International Commercial Transactions, and requested the Commission (a) to examine ways, including through legally binding international instruments, to further the implementation of the resolution and the Declaration, so as to promote the criminalization of corruption and bribery in international commercial transactions; (b) to keep the issue of corruption and bribery in international commercial transactions under regular review; and (c) to promote the effective implementation of the resolution.

68. The persistent and increasingly dangerous phenomenon of corruption, in all its forms, has commanded such international attention and concern as to lead to an emerging consensus regarding the urgency of concerted action against it at all levels. The complex and often elusive nature of the phenomenon, as well as its increasingly evident and alarming links with other forms of crime, warrants focused attention, continuing commitment and unwavering political will. There are no facile solutions, particularly in view of the fact that addressing the phenomenon effectively in its numerous guises would require diverse modalities of action, necessitating parallel, multilevel and well-coordinated activities and interventions. International organizations are lending their help in the fight against corruption through aid for democratic reforms, more competitive economies and the improvement of governance. Despite these efforts, however, a more focused approach is needed, involving a systematic attack on corruption. To achieve success, the constituent elements of the process should be tackled at the same speed and with the same vigour at all levels. At the international level in particular, it is essential to enhance the momentum for advancing international agreements and cooperation arrangements, while devoting the necessary energy and resources to creating an environment in which corrupt practices will no longer be tolerated.

69. Pursuant to the above-mentioned legislative mandates, the Crime Prevention and Criminal Justice Division, with the generous support and hospitality of the Government of Argentina, organized an expert group meeting on action against corruption and bribery, which was held at Buenos Aires from 17 to 21 March 1997. The objectives of the meeting were to elaborate an action plan for the implementation of General Assembly resolution 51/59, including the International Code of Conduct for Public Officials, and Economic and Social Council resolution 1995/14; to identify modalities of action for the implementation of Assembly resolution 51/191; to offer suggestions on the revision and expansion of the manual on practical measures against corruption; and to provide comments on a draft model law against corruption, prepared by the Division in cooperation with UNDCP. The conclusions and recommendations of the expert group meeting were brought to the attention of the Commission at its sixth session.[16]

70. On the recommendation of the Commission and the Economic and Social Council (resolution 1997/25), the General Assembly has before it a draft resolution on international cooperation against corruption and bribery in international commercial transactions, by which it would urge Member States to criminalize, in an effective and coordinated manner, the bribery of public office holders of other States in international commercial transactions, and encourage them to engage in programmatic activities to deter, prevent and combat bribery and corruption. The Assembly would request the Secretary-General to invite each Member State to provide a report on steps taken to implement the provisions of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions, for compilation by the Secretary-General and consideration by the Commission, with a view to examining further steps to be taken for the full implementation of the Declaration.

D. Measures to regulate firearms

71. In pursuance of Economic and Social Council resolutions 1995/27, 1996/28 and 1997/28, the Division implemented the international study on firearm regulation, on the progress of which it reported to the Commission on Crime Prevention and Criminal Justice at its sixth session,[17] including a summary of the results of the survey on firearm regulation, the first of its kind in terms of the comprehensive, transparent and neutral coverage of information obtained from nearly 50 selected countries.[18]

72. The survey was designed by a project team, composed of governmental and other experts, led by the project coordinator, representing the Government of Canada. Governmental experts represented Argentina, Australia, Brazil, China, Japan, the Philippines, the Russian Federation, Tunisia, the United States of America and Zambia; other experts represented the United Nations Interregional Crime and Justice Research Institute, the regional institutes and the International Centre for Criminal

Law Reform and Criminal Justice Policy. The project has been funded partly from extrabudgetary contributions, generously provided by the Governments of Australia, Canada and Japan, which has been the main financial donor.

73. The survey, the final results of which are to be published at the end of 1997, covered general information on the ownership and regulation of firearms, firearm possession and use, legal manufacture and trade of firearms, smuggling and other illegal dealings in firearms, statistics on the misuse of firearms, and recent policy initiatives of various States. Currently, the survey results are available in an electronic format on the Internet-based United Nations Crime and Justice Information Network at the following address: http://www.ifs.univie.ac.at/~uncjin/firearms/

74. Among the conclusions drawn from the survey, at the international level, are the following:[19]

(a) Efforts to regulate the importation and exportation of firearms, in most countries, are governed by trade and customs laws and agreements, not by specific agreements relating to firearms;

(b) Certain regional agreements were identified by responding States, but few States had entered into formal agreements on the regulation of firearms with other States, particularly at the bilateral level;

(c) Judging from the descriptive case study information provided by the respondents, there seems to be a need for enhanced international cooperation in the investigation and prosecution of offences involving the unlawful importation or exportation of firearms, particularly where the firearms have been transported across one or more countries between the time of their manufacture and their ultimate recovery by law enforcement officers.

75. At the time of writing, Member States are still providing replies to the ongoing survey. In the meantime, on the basis, *inter alia*, of the analysis of the available replies, the Division has been finalizing the preparations, including the draft agenda, for the four regional workshops on firearm regulation, to be held in the second half of 1997 in Europe, Africa, Asia and the Americas. Those workshops, organized in pursuance of the above-mentioned Economic and Social Council resolutions, will be open to Member States, interested intergovernmental and non-governmental organizations and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network.

76. The results of the four workshops will be discussed in 1998 at an expert group meeting and, together with other results of the international study on firearm regulation, they will be further reviewed by the Commission at its seventh session. As a final outcome of the four workshops, and the expert meeting, a manual on firearm regulation is to be issued in the second half of 1998 .

E. Computerization of criminal justice operations and the development, analysis and policy use of crime and criminal justice information

77. With regard to criminal justice information systems, the Economic and Social Council, in its resolution 1996/11, urged Member States to assist the Secretary-General in the establishment of an advisory steering group, to be administered by the Secretary-General in close coordination with the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, including assistance from the administration of the United Nations Crime and Justice Information Network and the United Nations On-line Crime and Justice Clearing House. A standing pool of experts was also to be identified.

78. In addition, the Council requested the Secretary-General to conduct a survey of national capacities for the collection of crime statistics, as a supplement to the Fifth United Nations Survey of Crime Trends and the Operations of Criminal Justice Systems (1990-1994).

79. The Commission on Crime Prevention and Criminal Justice, at its sixth session, had before it the report of the Secretary-General on international cooperation and assistance in the management of the criminal justice system, the computerization of criminal justice operations and the development, analysis and policy use of crime and criminal justice information.[20] The report reviewed the status of the Fifth Survey, the global report on crime and justice, the European and North American regional analysis of the Fifth Survey, carried out by HEUNI, the results of the survey on national capacities for the collection of crime statistics, and various computerization projects related to the United Nations Crime and Justice Information Network and the United Nations On-line Crime and Justice Information Clearing House.

80. The report also included an account of the training course entitled "United Nations Crime and Justice Information Network: providing information to and from developing countries" held at Seoul from 9 to 13 September 1996. The proceedings will be published as a resource book for possible similar courses in the future.

81. In addition, the Commission had before it a report on the results of the Expert Group Meeting on Criminal Justice

Management and Information Projects: Improving National and International Data Collection and Exchange, held at Buenos Aires from 10 to 13 March 1997.[21] The Meeting addressed five main issues: the progress of work on the implementation of the Fifth Survey; the results of the United Nations transnational crime survey; the establishment of an advisory steering group and a standing pool of experts for the practical implementation of technical cooperation activities; the results of the survey of national capacities for the collection of data on crime prevention and criminal justice; and the guide on the development and analysis of criminal justice statistics, including the question of transnational crime.

82. The Secretariat continued to expand the operations of the United Nations Crime and Justice Information Network which now includes the documents submitted to the Commission at its fifth and sixth sessions, the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*, several substantive databases, including a database on extradition and mutual legal assistance, as well as country reports on the use and application of the Code of Conduct for Law Enforcement Officials, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. The Division continued to coordinate, with UNDCP, the expansion of the anti-money-laundering database.

83. In its resolution 1997/27, adopted on the recommendation of the Commission, the Economic and Social Council welcomed the offer of the Governments of Argentina and the Netherlands to support the work of the advisory steering group by hosting regional and/or interregional meetings. It is anticipated that the advisory steering group will help to streamline the data collection efforts of the Secretary-General in this field. The Council also welcomed the offer of the Government of Canada to assist the Secretariat in the preparation of the guide on the development and analysis of criminal justice statistics.

F. Elimination of violence against women

84. In its resolution 1996/12, the Economic and Social Council took note of the revised document produced by the Commission on Crime Prevention and Criminal Justice at its fifth session, entitled "Practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women". The Council requested the Secretary-General to seek the views of Member States, the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, the relevant United Nations and other organizations on the draft practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women, and to report thereon to the Commission at its sixth session, as well as on the views received, so that the subject might be discussed by the in-sessional working group of the Commission.

85. The Commission, at its sixth session, had before it a report of the Secretary-General[22] summarizing the results of the consultations held and containing the new text of the draft practical measures, strategies and activities, as revised on the basis of the views received.

86. The Commission also considered, in its in-sessional working group, and then recommended for adoption by the General Assembly, through the Economic and Social Council (Council resolution 1997/24), a draft resolution containing the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, by which the Assembly would adopt the Model Strategies and Practical Measures, and request the Secretary-General to ensure their wide dissemination, with a view to promoting their use, to transmit them to the relevant United Nations bodies and organizations, such as the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the Commission on Human Rights and the Special Rapporteur on violence against women, and to report to the General Assembly at its fifty-fourth session, through the Council, on the implementation of the resolution. It would also invite the Council to consider including the issue of violence against women at the high-level segments of one of its forthcoming sessions, in the context of its discussion of the human rights of women.

87. The Model Strategies and Practical Measures aim to provide States with a guide for the upgrading of their "fair treatment" response to gender-directed violence, exploitation and abuse perpetrated against women and girl children. It would promote gender equality within criminal justice administration and foster gender mainstreaming in the crime prevention and criminal justice field.

G. Measures to prevent illicit trafficking in children

88. The Economic and Social Council, in its resolution 1996/26, requested the Secretary-General to continue to gather the opinions of Governments on the elaboration of an international convention or conventions on the illicit traffic

in children, and their suggestions on possible elements to be included in the text of a future binding instrument or instruments on that subject. The Secretary-General conducted a survey, on the basis of existing international conventions, analysing the extent to which children are protected from becoming victims of illicit international trafficking, taking into account both the substantive and procedural aspects of providing such protection. The survey revealed that while stated obligations and recommended measures on questions related to the trafficking and sale of children were to be found in a wide range of instruments, the fact that they were drawn up at different times over a long period made them ineffective as a body of law on these issues. Except for the Convention on the Rights of the Child, international public law instruments dealing in any significant way with trafficking and sale of children did not include treaty bodies to oversee compliance.

89. Under the draft resolution before the General Assembly on the follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime (see para. 50 above), the Assembly would establish an intergovernmental group of experts for the purpose of elaborating a preliminary draft of a comprehensive international convention against organized transnational crime and requested it to consider the need for special provisions related to specific types of crime, such as trafficking in children.

H. Use and application of United Nations standards and norms in crime prevention and criminal justice

90. In section III of its resolution 1993/34 the Economic and Social Council requested the Secretary-General to commence a process of information-gathering to be undertaken by means of surveys, such as reporting systems, and contributions from other sources. In accordance, further with Council resolution 1995/13, the Secretary-General submitted to the Commission on Crime Prevention and Criminal Justice at its fifth session four surveys on the use and application of the following instruments: the Standard Minimum Rules for the Treatment of Prisoners; the Code of Conduct for Law Enforcement Officials, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power; and the Basic Principles on the Independence of the Judiciary.[23] Those surveys provided for the first time some quantitative and qualitative data on major trends in the application of those standards, with suggestions for appropriate follow-up activities.

91. In its resolution 1996/16, the Economic and Social Council urged Governments that had not yet replied to the questionnaires on the four standards to do so. Member States reacted positively to this recommendation of the Council, providing additional detailed information, and identifying both achievements and shortcomings.

92. In pursuance of that resolution, the Secretariat started to fulfil its mandate to widely disseminate, via the World Wide Web database facility of the United Nations Crime and Justice Information Network, the relevant United Nations instruments, as well as the reports of the Secretary-General on the use and application of those United Nations standards and norms.[23]

93. In accordance with paragraph 9 of Economic and Social Council resolution 1996/16, and in response to requests by Member States, the Division organized, coordinated and implemented a number of technical cooperation projects focusing on the training of law enforcement officials, judges, prosecutors, prison officers and social workers. Through those training activities, the Division promoted the use and application of the United Nations standards and norms.

94. In pursuance of Economic and Social Council resolutions 1995/13 and 1996/16, additional copies of the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice* were published in Arabic (100 copies), English (500), French (150), Russian (100) and Spanish (400). As a follow-up to the publication of the Portuguese version of the *Compendium*, the Government of Portugal ensured the distribution of a total of 5,000 copies in Portuguese. Further, the Government of India reprinted the *Compendium* in English for wide circulation in its criminal justice system, particularly in training institutions.

95. In its resolution 1997/32, adopted on the recommendation of the Commission, the Economic and Social Council recommended that the relevant national authorities should promote the use and application of United Nations standards and norms; invited Governments that had not replied to the questionnaires on the four standards in crime prevention and criminal justice to submit their replies in order to enable the Secretariat to summarize that information and to disseminate it via the World Wide Web database facility of the United Nations Crime and Justice Information Network; and invited them to promote and disseminate the *Compendium* in the languages of their countries. The Council also called upon Member States to

consider making available funds for technical cooperation activities aimed at promoting the further use and application of United Nations standards and norms in crime prevention and criminal justice.

96. The Economic and Social Council also requested the Secretariat to prepare the relevant survey instruments on the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), the Guidelines on the Role of Prosecutors and the Basic Principles on the Role of Lawyers for submission to the Commission at its seventh session.

97. In its resolution 1997/33, the Commission adopted on the recommendation of the Commission and entitled "Elements of responsible crime prevention: standards and norms", the Economic and Social Council, *inter alia*, considered that an international effort was necessary to develop an effective strategy, and took note of the preliminary draft of elements of the standards and norms annexed to the resolution. It requested the Secretary-General to seek the comments of Member States and relevant intergovernmental and non-governmental organizations, as well as the institutes, on the annex to the resolution, including the advisability of elaborating such an instrument. The Council also requested the Secretary-General to organize, drawing upon extrabudgetary funds, an ad hoc expert group meeting to examine the comments and to elaborate proposals for further action, and to report thereon to the Commission.

1. Administration of juvenile justice

98. In pursuance of Economic and Social Council resolution 1996/13, the Secretariat organized, in cooperation with the Government of Austria, an expert group meeting on the elaboration of a programme of action on juveniles in the criminal justice system (Vienna, 23-25 February 1997). In addition, the Secretary-General invited Governments to submit to the Secretariat their contributions to the elaboration of a programme of action and, in particular, to identify areas to be addressed in more detail, and to provide the Secretary-General with any relevant information in the area of juvenile justice. In that resolution, the Council requested the Secretary-General to report to the Commission at its sixth session, and decided that the Commission, at that session, should consider the draft programme of action on juvenile justice.

99. By its resolution 1997/30, adopted on the recommendation of the Commission, the Economic and Social Council welcomed the Guidelines for Action on Children in the Criminal Justice System, annexed to the resolution. The Guidelines, which were elaborated by the expert group meeting and amended by the Commission, provide practical suggestions on how to address this question by means of, *inter alia*, legislative action, research and evaluation, technical cooperation, training and the exchange of information. They also provide for the necessary mechanism to follow up on the recommendations made by the Committee on the Rights of the Child to States parties to the Convention on the Rights of the Child to seek assistance from United Nations bodies in the area of juvenile justice, in order to fully meet their obligations under the Convention.

100. The Council also encouraged Member States to make use of technical assistance offered by United Nations programmes, so as to strengthen national capacities and infrastructures in the field of juvenile justice. While calling upon Member States to contribute financial and other resources to project activities designed to assist in the use of the Guidelines for Action, the Council invited the Secretary-General to strengthen system-wide coordination of activities in the field of juvenile justice, and to consider establishing a coordination panel with a view to further coordinating international activities. The Council also invited the Secretary-General, taking into account the advice of any such panel, to undertake, in cooperation with interested Governments, needs assessment missions on the basis of recommendations made by the Committee on the Rights of the Child, with a view to reforming or improving juvenile justice systems; and further requested him to report to the Commission on the implementation of the resolution on a biennial basis.

2. Basic Principles of Justice for Victims of Crime and Abuse of Power

101. In its resolution 1996/14, the Economic and Social Council recognized the desirability of preparing a draft manual or manuals on the use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. It recommended that the work should be undertaken by expert group meetings in cooperation with the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, the World Society of Victimology and other entities, and with the support of the Secretary-General.

102. An Expert Group Meeting on Victims of Crime and Abuse of Power in the International Setting, sponsored by the Office for Victims of Crime of the Department of Justice of the United States of America, was held at Tulsa, United States of America, from 10 to 12 August 1996, in connection with the annual conference of the National Organization for

Victim Assistance. The experts prepared a first version of the manual on the use and application of the Declaration of Basic Principles. At an informal meeting of some of the experts, who were attending the annual conference of the members of the International Scientific and Professional Advisory Council, at Courmayeur, Italy, in October 1996, an agreement was reached that a short version of the draft text would be prepared as a manual, and a longer version as a handbook on the use and application of the Declaration. The main purpose of both the manual and the handbook is to serve as a reference source providing guidance in implementing victim service programmes and developing victim-sensitive policies, protocols and procedures. The short version would be designed especially for policy makers, and the longer version would be directed particularly at practitioners, concerned organizations and individuals.

103. In order to elaborate the texts of the manual and the handbook, another Expert Group Meeting on Victims of Crime and Abuse of Power in the International Setting was organized by the Ministry of Justice of the Netherlands at The Hague from 5 to 7 March 1997. A special session was also convened at the Tenth World Colloquium on Victimology (Amsterdam, 25-29 August 1997), with a view to further refining and supplementing the two existing texts.

104. In its resolution 1997/31, adopted on the recommendation of the Commission, the Economic and Social Council requested the Secretary-General to seek the views of Member States on the proposed manual and handbook and to finalize their texts for submission to the Commission at its seventh session. The Council also invited Governments to make proposals regarding the elaboration of a plan of action to promote the effective use and application of the Declaration; reiterated the importance of technical cooperation in this area, and invited Governments to provide information on promising practices and legislation concerning victim-related issues, with a view to establishing a database and a clearing house. It also welcomed the invitation of the Government of the United States of America to act as host to a fourth expert group meeting, in 1997, to complete the work on the proposed handbook.

3. Developing of United Nations minimum rules for the administration of criminal justice

105. In its decision 5/101,[3] the Commission requested the Secretary-General: (a) to continue to solicit those Member States that had not yet replied to his notes regarding the advisability and specific content of the draft minimum rules for the administration of criminal justice and to evaluate those replies; (b) to seek the views of all Member States, including those that had replied to the notes, on the basis of their review of the report of the Secretary-General, regarding (i) the utility of promulgating the draft minimum rules for the administration of criminal justice; (ii) the utility of convening an expert group to review the draft rules; and (iii) specific areas in which an expert group, if convened, should consider making changes to the draft rules; and (c) to report to the Commission at its sixth session concerning the replies received from Member States, and to include in the report a table summarizing the position of Member States with respect to the three questions enumerated above.

106. A number of Member States responded to a note verbale from the Secretary-General, requesting their views. The convening of a group of experts to review the draft minimum rules, giving particular attention to aspects of legal procedure and possible associated problems arising under different legal systems, was generally viewed as a desirable solution, especially if extrabudgetary funds could be made available for that purpose. A general trend towards promulgating common minimum rules for the administration of criminal justice (or criminal proceedings) seems to have emerged.

107. In its resolution 1997/32, adopted on the recommendation of the Commission, the Economic and Social Council requested the Secretary-General to convene a meeting of government experts in crime prevention and criminal justice, attending in their personal capacity, funded by extrabudgetary resources, to review the draft minimum rules for the administration of criminal justice, paying special attention to the following issues, without prejudice to the future work of the Commission: (a) whether those draft minimum rules duplicate or contradict existing conventions or standards and norms in crime prevention and criminal justice; (b) the necessity of elaborating such an instrument; and (c) the diversity of legal systems and practices in each Member State.

VIII. Concluding remarks

108. Crime prevention and criminal justice are core concerns in ensuring the rule of law, national stability, internal peace, sustainable development and socio-economic progress. The negative consequences of crime reach deep and far, bringing corruption, social conflict, destabilization and suffering of people worldwide. The costs of organized crime, in particular, and of violence, are immeasurable, undermining the social fabric, the quest for economic growth and the transition to democracy. Therefore, effective

mechanisms for crime prevention and a fair and humane criminal justice system must have a pivotal place in developing and developed countries alike. Together with the technological advances that bring people even closer together, the threat of crime continues to spread all over the globe and to transcend national frontiers. A major negative effect of globalization has been the globalization of crime. Moreover, as crime assumes dangerous new dimensions and forms, the financial crisis of the Organization has had a negative impact on the Programme's ability to meet the challenges ahead.

109. At its fifth session, the Commission on Crime Prevention and Criminal Justice made important inroads in several key areas. It laid down basic principles for the enhancement of international cooperation in the field of crime prevention and criminal justice. The General Assembly demonstrated its commitment to reinforcing the Commission's functions by stressing the need for further strengthening the Programme, particularly its operational activities. The Assembly also recognized explicitly the primary importance of the Commission in its function as the principal policy-making and coordinating body of the United Nations in crime prevention and criminal justice. At its sixth session, the Commission has sought to chart new ground and to develop more effective global responses to this most serious and dangerous global problem of crime.

110. An increasing number of countries have shown a solid interest in, and commitment to, strengthening the capacity of the Programme for technical cooperation and assistance. As a result, several successful projects are currently being implemented. The positive reactions to the resource mobilization efforts of the Programme have elicited some generous voluntary contributions from several Governments, but much more is needed. It is to be hoped that more donors will follow their example to ensure funding for additional technical cooperation projects and to strengthen the operational capacity of the Programme, so as to meet the expressed needs of the long list of States which have requested technical assistance in crime prevention and criminal justice. The compendium of project proposals issued by the Division contains some possibilities for consideration by donor countries.

111. Most of the current Programme mandates include a technical assistance component. Over the years, the scope of such activities has been broadened. It has been urged that the Programme should place increased emphasis on providing training for various categories of criminal justice personnel, developing specialized publications on a number of technical issues, and disseminating the codes of conduct, model laws and model treaties, so that they can be widely used all over the world.

112. Further improvements have also to be made in the strategic management of the Programme and the work of the Commission, with a streamlined agenda and reduced reporting requirements. The new work arrangements should allow the Division more time for operational activities.

113. While crime prevention has been identified as one of the priorities of the Organization in the medium-term plan for the period 1998-2001, the resources available to the Programme remain grossly inadequate. The active support of Member States and funding agencies is critical to ensure that the priority accorded to the Programme is also reflected in its strengthened capacity to discharge the vital tasks entrusted to it.

114. In recognition of the importance of the crime prevention and criminal justice programme, the Secretary-General, in his report entitled "Renewing the United Nations: a programme for reform" (A/51/950), decided that Vienna would become the locus for United Nations efforts against crime, drugs and terrorism. The Division for Crime Prevention and Criminal Justice will be reconstituted as the Centre for International Crime Prevention and proposals submitted to Member States to strengthen its capacities. The new Centre and the United Nations International Drug Control Programme will together form a new Office for Drug Control and Crime Prevention.

Notes

[1] See E/1997/30 and Corr.1, to be issued in final form as *Official Records of the Economic and Social Council, 1997, Supplement No. 10*.

[2] E/CN.15/1997/17.

[3] See *Official Records of the Economic and Social Council, 1996, Supplement No. 10* (E/1996/30), chap. I.D.

[4] E/CN.15/1997/CRP.1.

[5] The figures include both contributions and pledges. Not all pledges had been received by 30 June 1997.

[6] Pursuant to an agreement with the Government of Italy, approximately 50 per cent of its contribution is used to support the activities of the International Scientific and Professional Advisory Council.

[7] The contribution of the United States was earmarked for specific projects.

[8] The contribution of Japan was earmarked for the firearms regulation project and other specific projects.

[9] The contribution of France was earmarked for a training project on mutual legal assistance in criminal matters for the Economic Community of West African States.

[10] The contribution of the Asia Crime Prevention Foundation was earmarked for the World Crime Report.

[11] E/CN.15/1997/18.

[12] E/CN.15/1997/17.

[13] E/CN.15/1997/2 and Corr.1 and Add.1.

[14] E/CN.15/1997/8 and Add.1.

[15] E/CN.15/1997/10.

[16] E/CN.15/1997/3/Add.1, annex.

[17] E/CN.15/1997/4 and Corr.1.

[18] Ibid., annex II.

[19] Ibid., para. 64.

[20] E/CN.15/1997/5.

[21] E/CN.15/1997/5/Add.1.

[22] E/CN.15/1997/11.

[23] E/CN.15/1996/16/Add.1-4.